



National Highway Traffic Safety Administration

49 CFR Part 541

[Docket No. NHTSA-2023-0003]

RIN 2127-AM59

Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2021 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2021

AGENCY: National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation.

ACTION: Final rule.

SUMMARY: This final rule announces NHTSA's determination that there are no new model year (MY) 2021 light duty truck lines subject to the parts-marking requirements of the Federal motor vehicle theft prevention standard. The agency determined no new models were high-theft or had major parts that are interchangeable with a majority of the covered major parts of passenger car or multipurpose passenger vehicle lines. This final rule also identifies those vehicle lines that have been granted an exemption from the parts-marking requirements because they are equipped with antitheft devices determined to meet certain criteria. Lastly, this final rule identifies vehicle lines that have not been manufactured for the United States market in over 5 years.

DATES: This final rule is effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Ms. Carlita Ballard, Office of International Policy, Fuel Economy and Consumer Programs, NHTSA, West Building, W43-439, NRM-310, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. Ms. Ballard's phone number is (202) 366-5222. Her fax number is (202) 493-2990.

SUPPLEMENTARY INFORMATION: The theft prevention standard (49 CFR part 541) applies to (1) all passenger car lines; (2) all multipurpose passenger vehicle (MPV) lines with a gross vehicle weight rating (GVWR) of 6,000 pounds or less; (3) low-theft light-duty truck (LDT) lines with a GVWR of 6,000 pounds or less that have major parts that are interchangeable with a majority of the covered major parts of passenger car or MPV lines; and (4) high-theft LDT lines with a GVWR of 6,000 pounds or less.

The purpose of the theft prevention standard is to reduce the incidence of motor vehicle theft by facilitating the tracing and recovery of parts from stolen vehicles. The standard seeks to facilitate such tracing by requiring that vehicle identification numbers (VINs), VIN derivative numbers, or other symbols be placed on major component vehicle parts. The theft prevention standard requires motor vehicle manufacturers to inscribe or affix VINs onto covered original equipment major component parts, and to inscribe or affix a symbol identifying the manufacturer and a common symbol identifying the replacement component parts for those original equipment parts, on all vehicle lines subject to the requirements of the standard.

The statute at 49 U.S.C. 33104(d) provides that once a line has become subject to the theft prevention standard, the line remains subject to the requirements of the standard unless it is exempted under 49 U.S.C. 33106. Section 33106 provides that a manufacturer may petition annually to have one vehicle line exempted from the requirements of section 33104, if the line is equipped with an antitheft device meeting certain conditions as standard equipment. The exemption is granted if NHTSA determines that the antitheft device is likely to be as effective as compliance with the theft prevention standard in reducing and deterring motor vehicle thefts.

The regulations at 49 CFR part 543 establish the process through which manufacturers may seek an exemption from the theft prevention standard. Manufacturers may request an exemption under 49 CFR 543.6 by providing specific information about the antitheft device, its capabilities, and the reasons the petitioner believes the device to be as effective at reducing and

detering theft as compliance with the parts-marking requirements,¹ or manufacturers may request an exemption under a more streamlined process outlined in 49 CFR 543.7 if the vehicle line is equipped with an antitheft device (an “immobilizer”) as standard equipment that complies with one of the standards specified in that section.² If the exemption is sought under 49 CFR 543.6, NHTSA publishes a notice of its decision to grant or deny the exemption petition in the Federal Register and notifies the petitioner in writing. If the petition is sought under section 49 CFR 543.7, NHTSA notifies the petitioner in writing of the agency’s decision to grant or deny the exemption petition.

NHTSA annually publishes the names of LDT lines NHTSA has determined to be high theft pursuant to 49 CFR part 541, LDT lines that NHTSA has determined to have major parts that are interchangeable with a majority of the covered major parts of passenger car or MPV lines, and vehicle lines that NHTSA has exempted from the theft prevention standard. Appendix A-I to part 541 identifies those LDT lines subject to the theft prevention standard beginning in a given model year. Appendix A-I to part 541 also lists those vehicle lines that NHTSA has exempted from the theft prevention standard.

Appendix A to Part 541 – Lines Subject to the Requirements of this Standard

For MY 2021, there are no new LDT lines that will be subject to the theft prevention standard in accordance with the procedures published in 49 CFR part 542.

Appendix A-I identifies those vehicle lines that have been exempted by the agency from the parts-marking requirements of part 541 and is amended to include eight MY 2021 vehicle lines newly exempted in full. The eight exempted vehicle lines are the GM Chevrolet Trailblazer, Toyota Venza, Mazda CX-30, Jaguar Land Rover I-Pace, Hyundai Sonata Hybrid, Ford Bronco Sport, Volkswagen ID.4 and the Honda HR-V. NHTSA has either previously granted these exemption requests and published the determination in the Federal Register if the

¹ 49 CFR 543.6.

² 49 CFR 543.7.

exemption was sought under 49 CFR 543.6 or has notified the manufacturer of the grant of exemption if the exemption was sought under 49 CFR 543.7.

Each year the agency also amends the appendices to part 541 to remove vehicle lines that have not been manufactured for the United States market in over 5 years. The agency believes that including those vehicle lines in the part 541 appendices would be unnecessary. Therefore, the agency is removing the BMW X1, Chrysler 200, Chrysler Jeep Patriot, Chrysler Town and Country MPV, GM Buick LaCrosse/Regal, GM Cadillac SRX, GM Chevrolet Malibu, Hyundai Azera, Hyundai Equus, Mazda 5, Mercedes E320 BLUETEC, Mitsubishi iMiEV, Mitsubishi Lancer, Nissan Juke, Nissan Quest and the Volkswagen Eos vehicle lines from the appendix A-I listing. However, NHTSA will continue to maintain a comprehensive database of all exemptions on our website.

The changes made in this rule are purely informational. The eight vehicle lines that will be added to appendix A-I of part 541 were granted exemptions in accordance with the procedures of 49 CFR part 543 and 49 U.S.C. 33106 and notices of the grants of those exemptions were published in the Federal Register, or the manufacturer was notified by grant letter. Therefore, NHTSA finds good cause under 5 U.S.C. 553(b)(3)(B) that notice and opportunity for comment on this final rule is unnecessary. Further, public comment on the listing of selections and exemptions is not contemplated by 49 U.S.C. Chapter 331. For the same reasons, since this revised listing only informs the public of previous agency actions and does not impose additional obligations on any party, NHTSA finds good cause under 5 U.S.C. 553(d)(3) to make the amendment made by this rule effective on the date this rule is published in the Federal Register.

Regulatory Notices

A. Executive Order 12866 and DOT Regulatory Policies and Procedures.

This rulemaking document was not reviewed by the Office of Management and Budget (OMB) under Executive Order (E.O.) 12866. It is not considered to be significant under E.O.

12866 or of significant note to the Department under DOT Order 2100.6A (“Rulemaking Guidance and Procedures”). The purpose of this final rule is to provide information to the public about vehicle lines that must comply with the parts-marking requirements of NHTSA’s theft prevention standard and vehicles that NHTSA has exempted from those requirements. Since the purpose of the final rule is to inform the public of actions NHTSA has already taken, either determining that new lines are subject to parts-marking requirements or exempting vehicle lines from those requirements, the final rule will not impose any new burdens.

B. National Environmental Policy Act

NHTSA has analyzed this final rule for the purposes of the National Environmental Policy Act. The agency has determined that implementation of this action will not have a significant impact on the quality of the human environment as it merely informs the public about previous agency actions.

C. Executive Order 13132 (Federalism)

The agency has analyzed this rulemaking in accordance with the principles and criteria contained in E.O. 13132 and has determined that it does not have sufficient Federal implications to warrant consultation with State and local officials or the preparation of a federalism summary impact statement. As discussed above, this final rule only provides information to the public about previous agency actions.

D. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 requires agencies to prepare a written assessment of the costs, benefits and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than \$100 million annually (\$120.7 million as adjusted annually for inflation with base year of 1995). The assessment may be combined with other assessments, as it is here.

This final rule will not result in expenditures by State, local or tribal governments or automobile manufacturers and/or their suppliers of more than \$120.7 million annually. This document informs the public of previously granted exemptions. Since the only purpose of this final rule is to inform the public of previous actions taken by the agency, no new costs or burdens will result.

E. Executive Order 12988 (Civil Justice Reform)

Pursuant to E. O. 12988, “Civil Justice Reform,”³ the agency has considered whether this final rule has any retroactive effect. The agency concludes that it would not have such an effect as it only informs the public of previous agency actions. In accordance with section 49 U.S.C. 33118, when a Federal theft prevention standard is in effect, a State or political subdivision of a State may not have a different motor vehicle theft prevention standard for a motor vehicle or major replacement part. The statute at 49 U.S.C. 33117 provides that judicial review of this rule may be obtained pursuant to 49 U.S.C. 32909. Section 32909 does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

F. Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, *et seq.*), Federal agencies must obtain approval from OMB for each collection of information they conduct, sponsor, or require through regulations. There are no information collection requirements associated with this final rule.

List of Subjects in 49 CFR Part 541

Administrative practice and procedure, Labeling, Motor vehicles, Reporting and recordkeeping requirements.

In consideration of the foregoing, 49 CFR part 541 is amended as follows:

PART 541 -- FEDERAL MOTOR VEHICLE THEFT PREVENTION STANDARD

³ See 61 FR 4729, February 7, 1996.

1. The authority citation for part 541 continues to read as follows:

Authority: 49 U.S.C. 33101, 33102, 33103, 33104, 33105 and 33106; delegation of authority at 49 CFR 1.95.

2. Appendix A-I to part 541 is revised to read as follows:

Appendix A-I to Part 541 – Lines With Antitheft Devices Which are Exempted From the Parts-Marking Requirements of This Standard Pursuant to 49 CFR Part 543

Manufacturer	Subject Lines
BMW.....	MINI MINI Countryman (MPV) X1 (MPV) X2 (MPV) X3 (MPV) X4 (MPV) X5 (MPV) Z4 2 Series 3 Series 4 Series 5 Series 6 Series 7 Series 8 Series
CHRYSLER.....	300 Dodge Charger Dodge Challenger Dodge Dart Dodge Journey Fiat 500 Fiat 124 Spider Jeep Cherokee Jeep Compass Jeep Grand Cherokee (MPV) Jeep Gladiator Jeep Wrangler/Wrangler JK ² Jeep Wrangler JL
Manufacturer	Subject Lines
FORD MOTOR CO	Bronco Sport ¹ C-Max EcoSport Edge Escape Explorer Fiesta

	Focus
	Fusion
	Lincoln Corsair
	Lincoln MKC
	Lincoln MKX
	Lincoln Nautilus
	Mustang
GENERAL MOTORS	Buick Encore
	Buick Verano
	Cadillac ATS
	Cadillac CTS
	Cadillac XTS
	Cadillac XT4
	Chevrolet Bolt
	Chevrolet Camaro
	Chevrolet Corvette
	Chevrolet Cruze
	Chevrolet Equinox
	Chevrolet Impala/Monte Carlo
	Chevrolet Sonic
	Chevrolet Spark
	Chevrolet Trailblazer ¹
	Chevrolet Volt
	GMC Terrain
HONDA	Accord
	Acura TLX
	Acura MDX
	Civic
	CR-V
	HR-V ¹
	Passport
	Pilot
HYUNDAI	Genesis G70
	Genesis G80 ³
	IONIQ
	Sonata/Hybrid ¹
JAGUAR	F-Type
	XE
	XF
	XJ
	Land Rover Discovery Sport

Manufacturer	Subject Lines
	Land Rover E-Pace
	Land Rover F-Pace
	Land Rover I-Pace ¹
	Land Rover Range Rover Evoque
	Land Rover Velar
KIA.....	Niro
	Stinger
MASERATI.....	Ghibli
	Levante (SUV)
	Quattroporte
MAZDA	2
	3
	6
	CX-3
	CX-5
	CX-9
	CX-30 ¹
	MX-5 Miata
MERCEDES-BENZ.....	smart Line Chassis
	smart USA fortwo
	SL-Line Chassis (SL-Class)
	(the models within this line are):
	SL400/SL450
	SL550
	SL 63/AMG
	SL 65/AMG
	SLK-Line Chassis (SLK-Class/SLC-Class)
	(the models within this line are):
	SLK 250
	SLK 300
	SLK 350
	SLK 55 AMG
	SLC 300 AMG
	SLC 43
	S-Line Chassis (S/CL/S-Coupe Class/S-
	Class Cabriolet/Mercedes Maybach)
	(the models within this line are):
	S400 Hybrid
	S550
	S600
	S63 AMG
	S65 AMG
	Mercedes-Maybach S560
	Mercedes-Maybach S650
	CL550
	CL600
	CL63 AMG
	CL65 AMG

Manufacturer**Subject Lines**

	NGCC Chassis Line (CLA/GLA/B-Class/A-Class) (the models within this line are): A220 B250e CLA250 CLA45 AMG GLA250 GLA45 AMG C-Line Chassis (C-Class/CLK/GLK-Class/GLC-Class) (the models within this line are): C63 AMG C240 C250 C300 C350 CLK 350 CLK 550 CLK 63AMG GLK250 GLK350 E-Line Chassis (E-Class/CLS Class) (the models within this line are): E55 E63 AMG E350 BLUETEC E320/E320DT CDi E350/E500/E550 E400 HYBRID CLS400 CLS500/550 CLS55 AMG CLS63 AMG
mitsubishi	Eclipse Cross Outlander Outlander Sport Mirage
NISSAN	Altima Leaf Maxima

Manufacturer	Subject Lines
	Murano
	NV200 Taxi
	Pathfinder
	Rogue
	Kicks
	Sentra
	Infiniti Q70
	Infiniti Q50/60
	Infiniti QX50 ⁵
	Infiniti QX60
	Versa
PORSCHE	911
	Boxster/Cayman
	Macan
	Panamera
	Taycan
SUBARU	Ascent
	Forester
	Impreza
	Legacy
	Outback
	WRX
	XV Crosstrek/Crosstrek ⁴
TESLA	Model 3
	Model S
	Model X
	Model Y
TOYOTA.....	Avalon
	Camry
	Corolla
	C-HR
	Highlander
	Lexus ES
	Lexus GS
	Lexus LS
	Lexus NX
	Lexus RX
	Prius
	RAV4
	Sienna
	Venza ¹
VOLKSWAGEN	Atlas
	Beetle
	ID.4 ¹
	Jetta
	Passat
	Tiguan
	Golf/Golf Sport wagen/eGolf/Alltrack

Manufacturer	Subject Lines
	Audi A3
	Audi A4
	Audi A4Allroad MPV
	Audi A6
	Audi A8
	Audi Q3
	Audi Q5
	Audi TT
VOLVO.....	S60

¹ Granted an exemption from the parts-marking requirements beginning with MY 2021.

² Jeep Wrangler (2009-2019) nameplate changed to Jeep Wrangler JK, JK discontinued after MY 2018

³ Hyundai discontinued use of its parts-marking exemption for the Genesis vehicle line beginning with the 2010 model year, line was reintroduced as the Genesis G80.

⁴ Subaru XV Crosstrek nameplate changed to Crosstrek beginning with MY 2016.

⁵ Nissan's QX50 was granted an exemption for MY 2019 and added the QX55 SUV model to its line starting with MY 2021.

Issued under authority delegated in 49 CFR 1.95, and 501.5.

Ann E. Carlson
Acting Administrator

Billing Code: 4910-59-P

[FR Doc. 2023-24611 Filed: 11/8/2023 8:45 am; Publication Date: 11/9/2023]